



U.S. Department of Justice

United States Attorney
District of New Jersey
Civil Division

RACHAEL A. HONIG
ACTING UNITED STATES ATTORNEY

Margaret Ann Mahoney
Assistant United States Attorney

970 Broad Street, Suite 700
Newark, NJ 07102
Margaret.ann.mahoney@usdoj.gov

main: (973) 645-2700
direct: (973) 645-2761
fax: (973) 297-2010

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BY ECF

The Honorable Zahid Quraishi
United States District Judge
Clarkson S. Fisher Building
& U.S. Courthouse
402 East State Street, Room 2020
Trenton, NJ 08608

Re: *Yim v. National Institute of Health*, No. 21-07031 (ZNQ)(LHG)

Dear Judge Quraishi:

I am the Assistant United States Attorney representing the National Institute of Health ("NIH") in the above case, a Freedom of Information Act ("FOIA") suit brought by *pro se* plaintiff Jin-Pyong Peter Yim. I respectfully write to inform the Court of certain difficulties the Government experienced today while filing its Motion for Summary Judgement. Along with the Motion of Summary Judgement, the Government submitted the Declaration of NIH FOIA Officer Gorka Garcia-Malene containing six (6) exhibits. The Government was unable to file two of the six exhibits (Exhibits 3 & 4). One exhibit contained an attachment unrecognizable by PACER and other is located in the email of an NIH employee currently on leave. Plaintiff is already in possession of both exhibits as they are email communications between him and the NIH. The Government is rectifying the situation and will file the missing exhibits as soon as possible. In addition, the Government will send Plaintiff a complete set of exhibits to the Declaration of Gorka Garcia-Malene as soon as possible. I appreciate your understanding and thank you very much for your consideration of this matter.

Respectfully submitted,

by: /s/ Margaret Ann Mahoney
MARGARET ANN MAHONEY
Assistant United States Attorney

cc: **BY EMAIL**
Jin-Pyong Peter Yim to the following email address: *Yimpjp@gmail.com*